

United States District Court

EASTERN

DISTRICT OF

NEW YORK

DEPARTMENT OF AMAZONAS, DEPARTMENT OF ANTIOQUIA, DEPARTMENT OF ATLANTICO, DEPARTMENT OF BOLIVAR, DEPARTMENT OF BOYACA, DEPARTMENT OF CAQUETA, DEPARTMENT OF CASANARE, DEPARTMENT OF CESAR, DEPARTMENT OF CHOCO, DEPARTMENT OF CORDOBA, DEPARTMENT OF CUNDINAMARCA, DEPARTMENT OF HUILA, DEPARTMENT OF LA GUAJIRA, DEPARTMENT OF MAGDALENA, DEPARTMENT OF META, DEPARTMENT OF NARINO, DEPARTMENT OF NORTE DE SANTANDER, DEPARTMENT OF PUTUMAYO, DEPARTMENT OF QUINDIO, DEPARTMENT OF RISARALDA, DEPARTMENT OF SANTANDER, DEPARTMENT OF SUCRE, DEPARTMENT OF TOLIMA, DEPARTMENT OF VALLE DEL CAUCA, DEPARTMENT OF VAUPES, and SANTA FE DE BOGOTA, CAPITAL DISTRICT,

AMENDED

SUMMONS IN A CIVIL CASE

CASE NUMBER: 00 CV 2881 (EHN)

Case assigned to:

Judge Eugene H. Nickerson
Mag. J. Viktor V. Pohorelsky

Plaintiffs,

V.

PHILIP MORRIS COMPANIES, INC., PHILIP MORRIS INCORPORATED d/b/a PHILIP MORRIS, U.S.A., PHILIP MORRIS INTERNATIONAL, INC., PHILIP MORRIS PRODUCTS, INC., PHILIP MORRIS LATIN AMERICA SALES CORPORATION, PHILIP MORRIS DUTY FREE, INC., BRITISH AMERICAN TOBACCO (1998) LTD., B.A.T. INDUSTRIES P.L.C., BROWN & WILLIAMSON TOBACCO CORPORATION, BATUS TOBACCO SERVICES, INC., and BRITISH AMERICAN TOBACCO (SOUTH AMERICA) LTD.,

Defendants.

TO: BATUS TOBACCO SERVICES, INC.
c/o Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY,

John J. Halloran, Jr., Frank H. Granito, III, Frank H. Granito, Jr.,
Kenneth P. Nolan, SPEISER, KRAUSE, NOLAN & GRANITO, 140 East 45th Street,
New York, New York 10017; (212) 661-0011

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

ROBERT C. HERGENROTHER

SEP 19 2000

CLERK

DATE

Kimberly Dantz
(BY) DEPUTY CLERK

RETURN OF SERVICE

Amended Amended Service of the Summons and Complaint was made by me ¹	DATE September 22, 2000 at 2:00 p.m.
NAME OF SERVER (PRINT) William Golt	TITLE Process Server
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____	
<input type="checkbox"/> Returned unexecuted: _____	
<input checked="" type="checkbox"/> Other (specify): Service on Batus Tobacco Services, Inc. was effectuated by personally serving Joanne Maymi of The Corporation Trust Company, Registered Agent, at 1209 N. Orange St., Wilmington, DE 19801.	

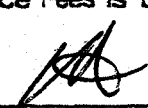
STATEMENT OF SERVICE FEES

TRAVEL \$0-	SERVICES \$45.00	TOTAL \$45.00
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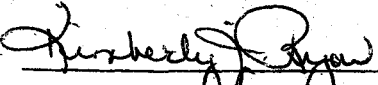
DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on September 25, 2000
 Date


 Signature of Server DELAWARE ATTORNEY SERVICES
2000 Pennsylvania Avenue, Suite 207
 Address of Server
Wilmington, DE 19806 (302) 429-0657

Sworn before me a Notary Public of the State of Delaware on September 25, 2000


 KIMBERLY J. RYAN
 NOTARY PUBLIC-DELAWARE
 My Commission Expires June 15, 2004

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.